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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,<sup>1</sup>

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,<sup>2</sup>

USA SECURITIES, LLC,<sup>3</sup>  
Debtors.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR<sup>1</sup>  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>2</sup>  
Case No. BK-S-06-10729-LBR<sup>3</sup>

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**NOTICE OF HEARING RE  
OMNIBUS OBJECTION OF USACM  
TRUST TO PROOFS OF CLAIM  
BASED UPON INVESTMENT IN  
THE 60<sup>TH</sup> STREET VENTURE, LLC  
LOAN**

Date of Hearing: June 15, 2010  
Time of Hearing: 9:30 a.m.

**THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM  
THAT YOU FILED. THE USACM TRUST SEEKS TO DISALLOW YOUR  
CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN THE 60<sup>th</sup>  
STREET VENTURE, LLC LOAN. THE USACM TRUST CONTENDS THAT**

<sup>1</sup> This bankruptcy case was closed on September 23, 2008.

<sup>2</sup> This bankruptcy case was closed on October 12, 2007.

<sup>3</sup> This bankruptcy case was closed on December 21, 2007.

1 **YOU DO NOT HAVE A VALID CLAIM BASED UPON YOUR INVESTMENT IN**  
2 **THIS LOAN BECAUSE YOU TOOK A KNOWN AND OBVIOUS RISK IN**  
3 **MAKING THAT INVESTMENT AND USACM DID NOT GUARANTEE**  
4 **REPAYMENT OF THAT LOAN. THIS OBJECTION WILL NOT IMPACT**  
5 **YOUR CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN A**  
6 **DIFFERENT LOAN.**

7 **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY**  
8 **COURT TO DISCUSS THE MERITS OF YOUR CLAIM.** QUESTIONS  
9 **REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM**  
10 **SHOULD BE DIRECTED TO BRANT FYLLING AT SIERRA GROUP**  
11 **CONSULTING, LLC (602-424-7009) OR TO UNDERSIGNED COUNSEL, JOHN**  
12 **HINDERAKER (520-629-4430).**

13 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and  
14 through its counsel, has filed its Omnibus Objections to Proofs of Claim Based Upon  
15 Investment in the 60<sup>th</sup> Street Venture, LLC Loan (with Certificate of Service) (the  
16 “Objection”). Your Proof of Claim number and other information regarding your claim is  
17 provided in **Exhibit A**, which is attached to the Objection. The USACM Liquidating  
18 Trust has requested that this Court enter an order, pursuant to section 502 of title 11 of the  
19 United States Code (the “Bankruptcy Code”) and Rule 3007 of the Federal Rules of  
20 Bankruptcy Procedure (the “Bankruptcy Rules”), disallowing your Proof of Claim to the  
21 extent it is based upon an investment in the 60<sup>th</sup> Street Venture LLC Loan. The Objection  
22 will not impact your Claim to the extent it is based upon an investment in a different loan.

23 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held  
24 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal  
25 Building, 300 Las Vegas Blvd. South, 3<sup>rd</sup> Floor, Courtroom No. 1, Las Vegas, Nevada on  
26 **June 15, 2010, at the hour of 9:30 a.m.**

1 NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON JUNE 15,  
2 2010, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND  
3 SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE  
4 HEARD ON THAT DATE.

5 NOTICE IS FURTHER GIVEN that pursuant to Local Rule 9014(d), any  
6 response to the objection must be filed and service must be completed no later than  
7 fourteen (14) days preceding the hearing date. The opposition must set forth all relevant  
8 facts and any relevant legal authority.

9 If you object to the relief requested, you *must* file a **WRITTEN** response to this  
10 pleading with the Court. You *must* also serve your written response on the person who  
11 sent you this notice.

12 If you do not file a written response with the Court, or if you do not serve your  
13 written response on the person who sent you this notice, then:

- 14 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
- 15 • The Court may *rule against you* and sustain the objection without formally  
16 calling the matter at the hearing.

17 Dated: May 14, 2010.

18 LEWIS AND ROCA LLP

19  
20 By s/John Hinderaker (AZ 18024)  
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23 Attorneys for the USACM Liquidating Trust  
24  
25  
26

LEWIS  
AND  
ROCA  
LLP  
LAWYERS

Copy of the foregoing  
mailed by first class  
postage prepaid U.S. Mail on  
May 14, 2010 to the  
investors in the 60<sup>TH</sup> Street Venture, LLC Loan listed  
on Exhibit A to the Objections.

LEWIS AND ROCA LLP

s/ Renee L. Creswell  
Renee L. Creswell